

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 1, 2007

D047725 People v. Holman

The case is remanded to the trial court to correct the abstract of judgment to reflect that Holman's conviction under Penal Code section 289, subdivision (a)(1) and section 664 for attempted rape was on count 16 rather than count 15. The trial court should send a corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Haller, J.

D049306 People v. Wyche

The judgment is affirmed. Irion, J.; We Concur: McDonald, Acting P.J., Aaron, J.

D048345 Shandralina G. v. Homonchuck

The order is reversed. Minor is entitled to costs on appeal. CERTIFIED FOR PUBLICATION. McDonald, J.; We Concur: McConnell, P.J., O'Rourke.

D048595 People v. Lee

The judgment is affirmed. Nares, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D048810 In re Peter D. et al., Juveniles

D048869 In re Haley D., a Juvenile

(Consolidated) The judgment and order are affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., McDonald, J.

D048280 Chu v. Hsu et al.

The request for publication is denied.

D049209 In re Sylvia W, a Juvenile/San Diego County Health and Human Services Agency v. Samuel D. et al.

The judgment is affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D047603 In re Cingular Cases

The request for publication of the opinion is denied.

D049257 Underinsurance Exchange of the Automobile Club/Superior Court of San Diego County/Williams

Pending further order, all proceeding in the trial court are stayed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 2, 2007

D050206 Chateau Village Community Association/Superior Court of San Diego
County/Pardee Homes
The petition is denied.

D050130 Quiogue et al. v. Hemerick
The petition is denied.

D047643 People v. Mendoza
The petition for rehearing is granted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 5, 2007

D046600 Jones v. The Lodge at Torrey Pines Partnership et al.

The judgment entered notwithstanding the verdict and the order granting a new trial are reversed. The judgment previously entered on February 28, 2005, in favor of Jones and against The Lodge and Weiss is reinstated and affirmed. Jones is awarded his costs on appeal. CERTIFIED FOR PUBLICATION. Benke, J.; We Concur: McConnell, P.J., McDonald, J.

D047800 Hernandez v. Villasenor

The judgment and order are affirmed. The matter is remanded to the trial court for its determination of an award to Hernandez for attorney fees on appeal. Hernandez is also entitled to costs on appeal. McConnell, P.J.; We Concur: Benke, J., McIntyre, J.

D048774 In re Robert S., a Juvenile

D048812 In re Robert S., a Juvenile

(Consolidated) The judgment is affirmed. McConnell, P.J.; We Concur: Huffman, J., Irion, J.

D047705 Seymour v. Heritage Operating LP

The judgment is affirmed. The order denying Seymour's motion for reconsideration and granting Heritage's motion for sanctions is affirmed. Aaron, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D046394 People v. Freeman

D048111 In re Freeman on Habeas Corpus

D049238 In re Freeman on Habeas Corpus

(Consolidated) The judgment is reversed. The petitions for writ of habeas corpus are denied. CERTIFIED FOR PARTIAL PUBLICATION. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D049425 In re Sabrina M., a Juvenile

Judgment affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D046881 People v. McDonald

The opinion filed January 16, 2007, is modified. No change in judgment.

D049239 In re Alyssa O., a Juvenile

The order is affirmed. Huffman, Acting P.J.; We Concur: Aaron, J., Irion, J.

D049361 In re Mohamad A., a Juvenile

The appeal is dismissed. McDonald, J.; We Concur: Benke, Acting P.J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 6, 2007

D048990 In re Armando E. et al., Juveniles

The judgments are affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., Aaron, J.

D047629 People v. Frizzell

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., Aaron, J.

D049745 Adoption of Daniel R., et al.

The opinion is dismissed. McIntyre, J.; Huffman, Acting P.J., O'Rourke, J.

D048949 Cohen v. Hilton Hotels Corporation

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).) Each party to bear its own costs on appeal.

D049410 People v. Staton

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D049173 In re Gabriella B., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., McDonald, J.

D048237 Underground Utilities, Inc. v. County of San Diego et al./Sundt Construction, Inc.

The order is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Benke, J.

D048210 In re Ashford on Habeas Corpus.

Order modifying opinion. There is no change in judgment.

D048210 In re Ashford on Habeas Corpus

The request for publication of the opinion is denied.

D050044 Gregory W. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Gregory W. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D049979 William K. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Candace G. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case as to Candace G. is dismissed.

D049517 People v. Lautner

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 7, 2007

D047709 People v. Scott

The judgment is affirmed. Huffman, Acting P.J.; We Concur Nares, J., Haller, J.

D048567 In re S. S. et al., Juveniles

D048627 In re S. S. et al., Juveniles

(Consolidated cases) The judgments and orders are affirmed. McConnell, P.J.;
We Concur: Nares, J., O'Rourke, J.

D050197 In re Consiglio on Habeas Corpus

The petition is denied.

D050217 Bittner et al. v. Superior Court of San Diego County/Shaw et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 8, 2007

D048262 De Name v. Salum

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D049275 In re Clarence J. et al., Juveniles

Judgment affirmed. Aaron, J.; We Concur: McConnell, P.J., McDonald, J.

D048935 Winters et al. v. Slaten et al.

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 8.220(a). The appeal is dismissed.

D046600 Jones v. The Lodge at Torrey Pines Partnership et al.

The opinion filed February 5, 2007, is modified as follows:

D049007 In re the Marriage of Alley

The order is affirmed. Jessica is entitled to costs on appeal. McDonald, J.;
We Concur: McConnell, P.J., Benke, J.

D050203 In re Paulina P. et al., Juveniles

This case has been reviewed by Associate Justices Huffman, Benke and Aaron. The notice of appeal, filed on January 29, 2007 by Maria M., states that she is appealing from the findings and orders of December 15, 2006, removing the children from her custody. There was no hearing in this case on December 15, 2006, nor was there a hearing on any other date at which the court ordered the children's removal from appellant's custody. The appeal is DISMISSED.

D048801 People v. Wright

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 9, 2007

D049473 Taylor Made Golf et al. v. Workers' Compensation Appeal Board and Federal Insurance Company

The petition is denied.

D049730 Vicente A. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. The request for a stay is denied. McDonald, J.; We Concur: Nares, Acting P.J., McIntyre, J.

D050092 Erick C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.

D050122 Melissa C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Melissa C. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D048861 People v. Hall

The judgment is affirmed. Nares, J.; We Concur: Benke, Acting P.J., Huffman, J.

D049232 In re Carolina I., a Juvenile

The judgment is affirmed. McConnell, P.J.; We Concur: Haller, J., McIntyre, J.

D046757 People v. Goodwillie

The judgment is vacated and the case is remanded to the trial court. On remand, the district attorney may elect, within 30 days of the issuance of the remittitur, to: (1) submit the previous offer of five years four months to the trial court for its approval; or (2) set the case for retrial and, if the district attorney so chooses, resume the plea negotiation process. If the district attorney chooses to submit the previously offered plea bargain to the court and the court approves the plea bargain, the judgment shall be modified consistent with the terms of the plea bargain and as so modified, reinstated. **CERTIFIED FOR PUBLICATION** Aaron, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.